

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 4TH JUNE 2007 / 14TH JYAISHTA 1929

WP(C).No. 16104 of 2007(P)

PETITIONER:

KABEER T.B., S/O.BAVA,
THOPPILPARAMBIL HOUSE, MANNAM P.O.,
N.PARAVUR.

BY ADV. SRI.S.MOHAMMED AL RAFI

RESPONDENTS:

1. DISTRICT COLLECTOR, ERNAKULAM.
2. SUB INSPECTOR OF POLICE, ALUVA.

BY GOVT. PLEADER SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 04/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 16104 OF 2007 - P

Dated this the 4th day of June, 2007

J U D G M E N T

The petitioner has approached this court for release of his vehicle which has been seized by the second respondent alleging illegal transportation of river sand. The petitioner submits that the first respondent has passed Ext.P2 order imposing a penalty of Rs.20,000/- which the petitioner paid. He therefore submits that the vehicle may be directed to be released.

2. However, the learned Government Pleader submits that a criminal case has been registered as Crime No.828 of 2007 and therefore, the vehicle can be released only after production before the Magistrate.

3. In the above circumstances, the writ petition is disposed of with the following directions:-

The respondents shall take steps to produce the vehicle before the Magistrate within a period of one week from the date of receipt of a copy of this judgment. The petitioner can file a proper application before the concerned Magistrate Court for

WP(C) NO.16104 of 2007

:-2:-

interim custody of the vehicle pending further proceedings in the criminal case.

**S. SIRI JAGAN,
Judge**

Mbs/

WP(C) NO.16104 of 2007

:-3:-

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007

WP(C) NO.16104 of 2007

:-4:-